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July 24, 2001

**Re: Craig M. Heward v. Liberty Life Assurance Company of Boston  
 USDC, Middle District, PA Civil Action No. 1:CV-01-797**

Honorable Yvette Kane  
 Judge, Middle District of PA  
 Federal Building, Room 830  
 228 Walnut Street  
 Harrisburg, PA 17108

Dear Judge Kane:

I appreciate the opportunity to further respond, but I believe with the Trial Briefs and Suggested Findings of Fact and Conclusions of Law, as well as the testimony at trial, the Court has sufficient input to evaluate the parties' respective positions.

I do feel constrained to comment on the Defendant's Brief, which was not filed five days prior to trial, and only given to us at the time of trial. It does not conform to the Middle District Court's Briefing Rules as it is not in 14 point font, nor is it double spaced. If it were to so conform, it would clearly be well beyond the 15 page limit.

Very truly yours,

RHOADS & SINON LLP

By:

John C. Dowling

cc: William C. Foster, Esquire

JCD/lgr